REMARKS

Summary of the Office Action

Claims 11-16 stand rejected under 35 U.S.C. § 112, second paragraph.

Claims 11-12 and 14-16 stand rejected under 35 U.S.C. § 102(e) as being anticipated by

Li et al. (US 6,133,975).

Claim 13 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Li et al.

Summary of the Response to the Office Action

Applicant has amended claim 11, canceled claims 1-10, without prejudice or disclaimer,

and added new claim 17. Accordingly, claims 11-17 are pending for consideration.

All Claims Comply with 35 U.S.C. § 112

Claims 11-16 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite

for allegedly failing to particularly point out and distinctly claim the subject matter which

Applicant regards as the invention. Applicant respectfully disagrees.

In accordance with the specification (page 16, lines 12-19), and as shown in FIG. 8C,

when the polymer networks 320 are formed, the BTN liquid crystal 300 maintains its

homeotropic alignment (or the reset state) regardless of the electric fields applied to the BTN

liquid crystal 300. Accordingly, the liquid crystal layer 300 has a photopolymerized monomer

320 aligned perpendicular to the first and second substrates 100 and 200, as recited by

independent claim 1. Thus, Applicant respectfully submits that claims 11-16 comply with the

requirements of 35 U.S.C. § 112, and respectfully requests withdrawal of the rejection.

All Claims Define Allowable Subject Matter

Claims 11-12 and 14-16 stand rejected under 35 U.S.C. § 102(e) as being anticipated by

Li et al. (US 6,133,975), and claim 13 stands rejected under 35 U.S.C. § 103(a) as being

unpatentable over Li et al. Applicant respectfully traverses these rejections as being based upon

a reference that neither teaches nor suggests the novel combination of features recited in

amended independent claim 11, and hence dependent claims 12-16.

Independent claim 11, as amended, recites at least a liquid crystal layer having "a

photopolymerized monomer aligned perpendicular to the first and second substrates." The

Office Action alleges that Li et al. teaches or suggests the "photopolymerized monomer," as

claimed. Applicant respectfully disagrees.

In contrast to Applicant's invention, Li et al. appears to be completely silent with respect

to an alignment orientation of the polymerizable monomer and/or the polymer networks.

Accordingly, Applicant respectfully submits that Li et al. fails to teach or suggest every

limitation recited by independent claim 11, as amended, and hence dependent claims 12-16.

For the above reasons, Applicant respectfully asserts that the rejections under 35 U.S.C.

§§ 102(e) and 103(a) should be withdrawn because Li et al. neither teaches nor suggests the

novel combination of features clearly recited in amended independent claim 11, and hence

dependent claims 12-16.

New Claim 17

Applicant has added new claim 17 to further define the invention. Applicant respectfully

submits that new claim 17 is allowable for at least its dependence upon independent claim 11, as

well as the features new claim 17 recites.

Conclusions

In view of the foregoing, Applicant respectfully requests reconsideration and timely allowance of the pending claims. Should the Examiner believe that there are any issues outstanding after consideration of this response, the Examiner is invited to contact Applicant's undersigned representative to expedite prosecution.

If there are any other fees due in connection with the filing of this response, please charge the fees to our Deposit Account No. 50-0310. If a fee is required for an extension of time under 37 C.F.R. § 1.136 not accounted for above, such an extension is requested and the fee should also be charged to our Deposit Account.

Respectfully submitted,

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